

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
WESTERN DIVISION

Scott Stern,

and other persons similarly situated  
in the Commonwealth of Massachusetts;  
and other persons similarly situated  
in the United States of America; and  
other persons similarly situated not  
currently residing within the  
Commonwealth of Massachusetts or the  
United States of America,

Plaintiff,

vs.

) Case No.: 04-30176-MAP  
)

) MOTION TO RECONSIDER OF ORDER DATED  
) October 15, 2004.  
)  
)  
)  
)  
)  
)  
)  
)

University of Massachusetts at  
Amherst; University of Massachusett  
Health Services; Bernatte Melby,  
Director of Health Services; Brian  
Burke, Associate Counsel, University  
of Massachusetts at Amherst;  
University of Massachusetts Board of  
Trustees; Massachusetts Board of  
Higher Education, Division of Health  
Care Finance and Policy

Defendants

---

NOW HERE COMES PLAINTIFF AND MOVES THIS COURT TO RECONSIDER ITS  
ORDER dated October 15, 2004 pending the consolidation of all submitted  
motions to amend the original complaint submitted to the United States  
District Court in Springfield, Massachusetts.

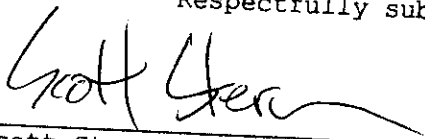
Plaintiff hereby moves the United States District Court to  
Reconsider the order dated October 15, 2004 pending the consolidation  
of all the motions to amend the complaint dated September 7, 2004.

WHEREFORE, for the reasons above, plaintiff prays that the

reconsideration of the order dated October 15, 2004 shall be allowed.

Plaintiff seeks a Temporary Restraining Order in order to continue his education through a federally funded program, the Massachusetts Rehabilitation Commission. Granting such an order would not harm the State by any means. The TRO would not be issued with prejudice or without prejudice for plaintiff and the pending litigation. It would simply allow plaintiff to enroll at the University of Massachusetts and continue his education. A granting of the TRO would ensure plaintiff's federal and state constitutional right to an education.

Respectfully submitted, on this 20<sup>th</sup> day of October, 2004.



\_\_\_\_\_  
Scott Stern  
Pro-Se Plaintiff  
400 West Main Street  
North Adams, Massachusetts 01247